



1651

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

OCT 24 2002

TECH CENTER 1600/2900

Applicant(s): Menon et al.

Serial No.: 10/034,336

For: TOPICAL COSMETIC COMPOSITION HAVING A
NATURAL PLANT ACTIVE INGREDIENT AND
METHOD OF USING SAME

Filed: December 28, 2001

Examiner: Susan Coe

Art Unit: 1651

Confirmation No.: 8349

Attorney Docket No.: 680.0049USU

**BOX NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
Washington, D.C. 20231**

Dear Sir:

AMENDMENT TRANSMITTAL FORM

Transmitted herewith is an Amendment in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$_____ to extend the time for filing this response until _____.

The fee for any change in number of claims has been calculated as shown below.


CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	16	Minus	30	0	x \$18.00	\$.00
Indepen- dent Claims	1	Minus	3	0	x \$84.00	\$.00
MULTIPLE DEPENDENT CLAIM FEE				x \$280.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$.00		

The total fee for this amendment, including claim changes and any extension of time is calculated to be \$.00 .

 A check in the amount of \$.00 is attached.

XXX The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

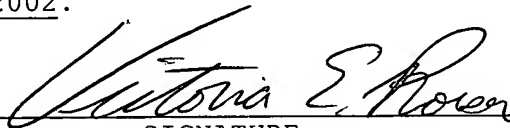
October 16, 2002
Date


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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: BOX NON-FEE AMENDMENT, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON OCTOBER 16, 2002.

VICTORIA E. ROESER
NAME


SIGNATURE

OCTOBER 16, 2002
DATE



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Commissioner for Patents
Washington, DC 20231

RESPONSE TO OFFICE ACTION

Dear Sir:

This is in response to the Office Action mailed on September 23, 2002, for the above-identified application.

REMARKS

Claims 1 through 30 are now pending in this application. The Office Action has stated that a restriction is required. In response to the restriction requirement, Applicants hereby elect the claims of Group I (claims 1-16) drawn to a topical composition (classified in class 424, subclass 725). This election is made with traverse.

First, Applicants submit that the inventions of Groups I (claims 1-16), II (claims 17-24), III (claims 25-28), and IV